

countries. So this particular Senator said, now wait a minute, do I understand that you want Canadian oil to have a conduit right through the center of the United States to a port in the Gulf of Mexico, then to be exported to foreign countries? And the answer to that was yes.

I said, well, since it seems as though it would be in the interests of the United States that we at least keep part of that in the United States for consumption so it would lessen our dependence on foreign oil coming from the Middle East or coming from places where we used to get some 12 percent to 20 percent of our oil—thank goodness we don't today, but used to from a place such as Nigeria. You know how troubled that area is now.

My question was: Well, wouldn't it make sense that we keep some of that oil in the United States for domestic uses so we didn't have to rely on oil coming from Saudi Arabia, the Persian Gulf area, from the West Coast of Africa? The answer was that they would not entertain an amendment that would prohibit that oil from being exported. Likewise, if the oil is refined on the gulf coast, it is not prohibited from being exported.

I am just a country boy from Florida, but I can put two and two together. It simply does not make sense to me that you would want foreign oil to come in a conduit through the United States right through the heartland to go right out to other oil-thirsty nations in the world. If that were the case, then why doesn't Canada take an oil pipeline and build it themselves to the west, through the Pacific Coast? Or why wouldn't Canada use the existing structures and end up in the Great Lakes and send the oil out through the Great Lakes?

And yet, what did I say? This is politics.

Since the motion to invoke cloture on the motion to proceed last night was passed, this is going to be in front of the Senate. There are going to be opportunities for amendments, and I can tell you that this Senator is going to support the amendment that prohibits this oil from being sent out to other countries.

If we are really interested in the security of the United States, national security, our independence from foreign oil, since Canada is such a close friend and ally, this would be in the interests of the United States.

The fact is that it is coming at an interesting time. It is getting all the more complicated. It used to be that oil—and you think back a half a year, three-quarters of a year ago, oil was selling in excess of \$100 barrel. Yesterday it was just over \$46 a barrel. It is said that Canada cannot efficiently produce this oil and have any break-even point unless oil is selling in the range of \$70 a barrel. So why in the world would Canada even want to do this right now, particularly at a time that oil is at \$46 and may stay down for

some period of time, even a year or two?

I think if we apply some country-boy logic to this, there are sufficient significant questions—first of all, to kill the bill, and if that is not possible, certainly to amend it so that it complies with the financial and national security interests of the United States. That is the intention of this Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that all postcloture time on the motion to proceed to S. 1 now be expired and the Senate proceed to a vote on the motion to proceed; that if the motion to proceed is adopted, the bill be reported and that Senator MURKOWSKI be recognized to offer a substitute amendment, the text of which is at the desk.

I further ask that the following amendments be in order to be offered during this week's session by Senators CANTWELL and MURKOWSKI or their designees: Markey amendment No. 13 related to oil exports; Portman amendment No. 3; a Franken amendment related to U.S. steel; and that the consideration of these amendments be in the order listed and the bill be for debate only during this week's consideration.

The PRESIDING OFFICER. Is there objection?

Ms. CANTWELL. Mr. President, reserving the right to object. I just want to note for my colleagues that this agreement has been worked out on both sides; that instead of staying until midnight and having a great deal of uncertainty as we approach the next 2 days for both of our caucuses to have retreats, giving people predictability about Friday and next Monday being a holiday, working out a back-and-forth on these agreements I think is a good way to proceed.

I hope people will feel free on Friday to come and dialogue about these or other amendments. But this process is one I think we should pursue at this point, so I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I have discussed the process going forward on this bill with our leader, the majority leader, and Senator CANTWELL. It is our intention to work together so the two bill managers or their designees continue to offer amendments in an alternating fashion.

The PRESIDING OFFICER. All time is expired.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

#### KEYSTONE XL PIPELINE ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

#### AMENDMENT NO. 2

Ms. MURKOWSKI. Mr. President, at this time I call up my amendment No. 2.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO, proposes an amendment numbered 2.

Ms. MURKOWSKI. I ask unanimous consent that reading of the amendment be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Keystone XL Pipeline Approval Act".

#### SEC. 2. KEYSTONE XL APPROVAL.

(a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered to fully satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) any other provision of law that requires Federal agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a))) with respect to the pipeline and facilities referred to in subsection (a).

(c) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a) shall remain in effect.

(d) JUDICIAL REVIEW.—Except for review in the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a Federal agency regarding the pipeline and cross-border facilities described in subsection (a), and the related facilities in the United States, that are approved by this Act (including any order granting a permit or right-of-way, or any other agency action taken to construct or complete the project pursuant to Federal law).

(e) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in subsection (a).

Ms. MURKOWSKI. Mr. President, I am pleased we are at this point in time

when we can start debate on the Keystone XL Pipeline. We have had some good conversation on this floor while we have worked through procedural issues. I appreciate that we have been able to avoid a midnight vote, that we were able to work out an agreement. I thank my colleague and the ranking member, Senator CANTWELL, for her assistance in getting us to this point, where we, during the daylight hours, can begin debate on amendments. These amendments, I think, are particularly timely and particularly important to where we are today from an economic perspective, from an energy perspective, and from an energy security perspective.

Keystone XL fits in with that. In front of us is the first amendment to the Keystone XL Pipeline, S. 1, and it is in the nature of a committee substitute. What I will assure Members is that the substitute we have in front of us is almost a mirror image of the bill we reported from the energy committee just last week. We reported it on a bipartisan basis. We had good discussion at that point in time.

But we have in front of us that substitute amendment. When we look to the amendment itself, it is pretty simple. We are truly talking about a two-page bill, a bill that is clear in content, a bill that is very readable in terms of what it does and what it does not do. Again, it spans just over two pages—pretty wide font, pretty wide margins. One can read it in a couple of minutes—and better yet, understand it.

That is because the bill itself is very simple. What this measure does is approve the cross-border permit that is needed to construct the Keystone XL Pipeline. It does this with important provisions. It fully protects private property rights. It requires all State and local obligations be met, including those related to siting. There has been some discussion that somehow or other the Senate is engaging in routing, engaging in siting. This bill does not approve a pipeline route. We are not a planning board. Our bill only approves the pipeline's cross-border permit. It only does that because we have been waiting for 6 years for this cross-border permit.

Some have suggested this is somehow some big giveaway. There is no subsidy in this bill. It is not a giveaway. It does not evade any regulations. It does not preempt any environmental study. It will not cost taxpayers a single dollar. Again, I would encourage my colleagues to look critically at the language of this bill. What this bill does is authorize a cross-border permit.

There has been a lot of discussion about the jobs created and the environmental pros and cons on both sides. We have had good, strong debate already, just as we have moved through the procedural process of this. But what I think is important for us as a body to appreciate is the point we are at now, the point where we as Members can take this simple, straightforward bill

and offer amendments we believe would make it better or enhance it.

As we go forward, I am encouraging Members on both sides to bring their amendments forward. Let us have the give and take, the back and forth for which the Senate was once so famous. I have been asked: How are you going to handle amendments on the floor? Is it going to be a situation where the majority determines what the minority will introduce, what we will have an opportunity to debate and decide?

That is not how we are handling amendments on this bill. The majority leader has promised a full debate. He has said: It is not unlimited. We are not going to be on this for months, but we are going to give Members an opportunity to speak to the issues of the day, the issues of the day that are so important to our Nation's economy.

The Presiding Officer comes from an energy-producing State, as do I. We know the significance of energy jobs that come to our States and our local economy. We know the independence that comes when we are not reliant on others, particularly others who wish us ill, for a resource that powers our country.

We are seeing firsthand the benefits of good energy production throughout the entire country. So why would we not want to allow for a piece of beneficial infrastructure, a piece of infrastructure to cross a border from our closest friend and ally in Canada, moving a product to our refineries in the gulf coast where they are set up to handle this type of crude oil.

There has been a lot of discussion that this is just going to be a transference of oil from the north in Canada through the United States and exported to the rest of the world. But I think if we look to the facts that are laid out in the State Department's report, in their environmental assessment, we appreciate the fact that it makes no sense to use the United States just as a conduit, when our refineries, those refineries that are designed to handle the heavy crude, will be in a position to refine that crude for our benefit in this country, for those in Canada who are looking to again move their product.

What we are effectively going to be able to do is replace what we are currently receiving from Venezuela, which provides us with that heavy crude currently, which we refine in the gulf coast areas—in those refineries we will be able to replace that with oil from our friend and ally, Canada. I do not know about the Presiding Officer, but I would much rather have a relationship with Canada than Venezuela.

Again, the benefits, the merits of this legislation are very substantive. Keep in mind, this is not a case of first impression. This is not the first pipeline we have crossing the United States-Canadian border. There are 19 cross-border pipelines currently operating today. So as we work to develop not only a relationship around our energy,

I think it is important to recognize the relationship we have with our friends to the north is important as well.

One of the issues we will see come forward for discussion on the floor is the environmental aspects of the Keystone XL Pipeline and the oil sands from which they stem. We will have an opportunity to discuss the issue of exports and the significance of our energy exports, in terms of the benefits to our economy, trade perspective, balance of payments, the significance of that, and the opportunities we have in other areas related to energy, energy efficiency.

I know my friend and colleague from Ohio wishes to speak to an amendment he will propose today. But this is a long time in the making for us to not only have the chance to talk energy but the opportunity for us to vote on energy-related amendments.

I have much I wish to relay and convey in response to some of the comments that have been made by colleagues on this floor in the past couple days. We will have an opportunity to speak directly.

As was noted in the agreement, we will have this measure in front of us. We will put some amendments forward this afternoon. We will not be voting on any amendments today nor will we be voting on any amendments on Friday, but we will have an opportunity for good, concerted discussion on Friday and going into next week.

On behalf of the majority leader, I have been asked to announce that the next rollcall vote will occur on Tuesday, January 20.

#### AMENDMENT NO. 2

But what that allows us is an opportunity again, beginning today, beginning now, to encourage Members to come forward with their amendments and based on the agreement we have outlined—two on the Republican side today, two on the Democratic side today—get those out there, get them on the table, get them up, let's talk about them. We will have the opportunity on Friday and will do more of the same on Tuesday. Then we can actually start moving through a process that I hope is good, robust, and encouraging—encouraging, not only for the American public—but also encouraging to members of this body.

I think it will be good for us in the Senate to get back to a habit of advancing amendments, of allowing the floor managers to work together to decide a process, to lay out initiatives, to have the back and forth, to take some tough votes—it is what we do or what we should do—and to get back to what we know to be regular order.

I want that to be a terminology all Members understand instead of just some who have been around for more years than others. Being able to get back to regular process feels pretty good today. I am pleased to begin this debate under regular process.

With that, Senator PORTMAN was on the floor as we began our unanimous

consent request, but I understand we will defer to Senator MARKEY to first bring up his amendment and then turn to Senator PORTMAN for his.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 13 TO AMENDMENT NO. 2

Mr. MARKEY. I seek recognition, pursuant to the consent agreement, to call up amendment No. 13.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. MARKEY], for himself and Ms. BALDWIN, proposes an amendment numbered 13 to amendment No. 2.

Mr. MARKEY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil)

At the end of section 2, add the following:

(f) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), none of the crude oil and bitumen transported into the United States by the operation of the Keystone XL pipeline under the authority provided by subsection (a), and none of the refined petroleum fuel products originating from that crude oil or bitumen, may be exported from the United States.

(2) WAIVERS AUTHORIZED.—The President may waive the limitation described in paragraph (1) if—

(A) the President determines that a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States' interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than the refiners would pay for crude oil in the absence of the waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would pay in the absence of the waiver;

(B) an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically; or

(C) a waiver is necessary under the Constitution, a law, or an international agreement.

Mr. MARKEY. If I may speak briefly on the amendment, I thank the chair of the energy committee. I thank her for her courtesy and the Senator from Ohio as well.

While we will not be having the full debate at this time on the Senate floor, we are in fact beginning with a critical issue, an issue that relates to climate change, American energy independence, the impact that legislation can have upon consumers—drivers in our country in terms of how much they are paying at the pump.

It deals with actually the mission of young men and women in our country who go overseas in order to protect tankers of oil that are brought back to our country.

So the first question that will be asked in this debate is whether the oil,

which is going to be delivered through this pipeline from Canada, is going to stay in the United States of America.

The Canadian tar sands oil is the dirtiest oil in the world.

The pipeline, similar to a straw, is going to be built through the United States down to Port Arthur, TX, a tax-free export zone. You don't have to have an MBA from business school to figure out what this 3-by-5 card looks like.

It is something that basically says, since the price of a barrel of oil on the global market is \$17 higher than what the Canadians can get for the tar sands oil—that they want to get it out of the country, which is why it is going to end in Port Arthur, TX, an export zone.

What the amendment I am going to be making on the floor of the Senate says is that if the oil is drilled for in Canada, put through a pipeline in the United States, that oil cannot be exported, that oil stays in the United States, and that the promise of energy independence in our country is in fact what this agenda is all about. Because otherwise the United States is taking all of these environmental risks, the planet is taking all of these environmental risks, but the economic benefits are not flowing to consumers, drivers in the United States who finally feel some relief at the pump—that they are not feeling—that they are being tipped upside down and having money shaken out of their pockets on a daily basis.

The oil companies have made many claims about this pipeline. They have said it was for North American energy security, but it is about exporting oil. They have said it is about reducing prices, but it is about getting the highest profits. They said it would not harm the environment but it in fact will worsen climate change and risk dangerous oil spills.

They have been trying for 6 years to get this pipeline built, even when it is clear that we do not need it. So this is the Keystone “export” pipeline—the KXL.

So this first amendment that we will be debating is one that says: No, you cannot export it. We must keep that oil in the United States. We must ensure that it is in fact something that benefits the American people. Otherwise, the Canadians are just ripping this oil, this dirty oil from their soil in Canada and putting it into a pipeline that then will be exported, which will only ensure that the planet gets hotter, that it becomes more dangerous for future generations.

Ladies and gentlemen, this is a very important debate. The planet is running a fever. There are no emergency rooms for planets. We have to engage in preventive care.

If this action takes place, and all we are doing is allowing Canadian oil to go through our country and out the other end, then we haven't done anything for the American consumer or for the planet.

I look forward to a more complete debate on this issue, and I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 3 TO AMENDMENT NO. 2

(Purpose: To promote energy efficiency)

Mr. PORTMAN. I rise and call up amendment No. 3.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio [Mr. PORTMAN], for himself and Mrs. SHAHEEN, proposes an amendment numbered 3 to amendment No. 2.

Mr. PORTMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Monday, January 12, 2015, under “Text of Amendments.”)

Mr. PORTMAN. Mr. President, I rise to thank Senator MURKOWSKI for giving me this opportunity. She spoke earlier about the fact that we are going to talk about Keystone in an open process, going to allow amendments, which seems very normal, but in the Senate it hasn't been over the past several years.

This amendment is one that results to energy efficiency. I strongly support the underlying bill, and we will talk about it in a moment, but I also support the strategy of saying let's produce more energy, but also let's use the energy that we have more efficiently. I believe those are complementary, and I believe it is consistent with creating more jobs in this country, making our businesses more competitive, and improving the environment. So I appreciate her willingness to allow us to move forward with this amendment.

This energy efficiency amendment we are talking about is a key part of the “all of the above” energy strategy that a lot of us discuss, whether it is nuclear, renewable, oil, coal or gas, efficiency ought to be a part of it.

It is an amendment that is the result of a lot of years of work by Senator SHAHEEN, who was mentioned earlier, myself but also Senator HOEVEN, Senator AYOTTE, Senator FRANKEN, and many other Members of this body.

Our cosponsors this afternoon are Senator SHAHEEN, Senator AYOTTE, Senator BENNET, Senator COLLINS, Senator GARDNER, and Senator MANCHIN.

This is legislation that is clearly bipartisan and legislation that shouldn't be controversial. It takes part of the broader Portman-Shaheen legislation that has already passed the House of Representatives and brings it to the floor.

This is also legislation that has passed the committees in the Senate and the committees in the House—energy committees—with wide bipartisan margins. Also, it was on the floor of the House last year and passed with a vote of 375 to 76, including with the support of the Presiding Officer. I thank the Presiding Officer.

There are four provisions and they are all pretty straightforward. None of them has a mandate, none of them has a cost curve. The CBO, the Congressional Budget Office, has told us they don't score. All of them are voluntary.

The first one is an important one. It is called Tenant Star. It establishes a voluntary market-driven approach to try and align the interests of commercial business owners and their tenants. This is important because a lot of the real estate folks would like to have the ability to say this has the Good Housekeeping seal of approval. It is like an Energy Star seal of approval that enables people to know it is an energy-efficient building.

This is broadly supported in part because it is voluntary. It is not a mandate, but it will help us in reducing energy consumption.

The second provision is one that is very timely. This is one that a lot of us have worked on over the years. Senator HOEVEN has talked about this. We talk sometimes in the Senate about the unintended consequences of regulations. This would be a great example.

Here we have the Department of Energy promoting a regulation that if we don't stop it now will actually make our country less energy efficient. It is unintended, perhaps, but it is something we need to deal with legislatively now.

If we don't, then we are not going to be able to help save these particular products, which are water heaters. Around the country there are hundreds of electric cooperatives that operate voluntary programs and use what we call electric resistance water heaters.

They use them to store energy at night, and then during a peak demand period they don't have to turn on these electric water heaters. So it is actually an energy efficiency effort.

It is the kind of grassroots, on-the-ground innovation we want to see more of. But this regulation that we have to stop—from the Department of Energy—establishes a new standard for water heaters that effectively undermines this program. How? Because it makes it impossible for these companies to produce these kinds of water heaters that the co-ops are using. So the legislation exempts these water heaters from business standards, allowing these co-op programs that are good for energy efficiency to continue.

People probably heard from their rural electric co-op—if they are a Member of this body—on this issue because it is important to them that it be handled and handled now. If it is not, then these companies will stop producing these water heaters and they will not be able to continue these programs.

The third provision has to do with the Federal Government. Basically it says the Federal Government ought to practice what it preaches.

The Federal Government talks a lot about energy efficiency. Yet it is probably the biggest energy user in the world and probably one of the most in-

efficient. This says simply that Federal agencies have to coordinate with the Office of Management and Budget, with the Department of Energy, and with the Environmental Protection Agency to develop an implementation strategy that includes best practices, measurements, and verifications for the maintenance, purchase, and use of energy-efficient and energy-saving information and technology.

IT has been a source of great inefficiency in the government, and this legislation simply says let's require these Federal agencies to actually clean up their act so they will be more energy efficient in the area of information technology.

Again, it is a nonpartisan approach. It is one that has been supported by both sides of the aisle.

Finally, along the same lines, the fourth provision requires that federally leased buildings without Energy Star labels benchmark and disclose their energy usage data. Again, these are not Federal buildings that have to report this information, but these are buildings that the Federal Government leases.

So in effect all of us as taxpayers should have an interest in being sure that these leased buildings also have the energy efficiency provision to avoid wasting taxpayer money.

I think these are very important provisions. These are not controversial provisions with the idea that, yes, let's produce more energy. Let's make sure we have the infrastructure to bring the energy to the consumer, but let's do it in a way where we are using more energy but also using it more efficiently.

I hope we will see the kind of strong bipartisan support on the floor we have seen in the past on these provisions as they are part of this underlying legislation.

I would like to talk for a moment about the underlying legislation. This is the Keystone XL Pipeline construction. It seems as if we have been talking about this forever. Frankly, we have. This has been going on for almost 7 years now, I believe. Think about that. This is just to get the approval of the pipeline—not to actually build it. Just to get the approval it has taken 7 years. It is time to stop talking about it and move forward on it.

The Keystone XL Pipeline has taken almost 7 years. In comparison, we built the Hoover Dam in less than 5 years. The entire Empire State Building was constructed in 1 year and 45 days. In fact, the entire transcontinental railroad was constructed by hand in 6 years. So there is no reason we shouldn't move ahead on this.

We have learned a thing or two about this Keystone XL Pipeline during this period of time we have been debating it, and everything we have learned leads us to the conclusion it just makes sense to move forward. We know we can do it safely. We know we can do it in an environmentally sound way.

We know we can create thousands of good jobs during its construction. Yet as we stand here today, with the Keystone XL Pipeline a source of debate rather than a source of jobs, we are not moving the country forward. I think we have waited long enough.

There has been debate before. I have heard it over the last couple of days and last week. Is this going to create jobs? Yes, it will. The State Department has said it will. The State Department is in the Obama administration, and they are the ones who tell us it is going to increase our economy by about \$3 billion, increase the GDP of America, and also create more than 40,000 jobs during its construction—both through the actual building of the pipeline and through the sourcing of pipeline projects to American manufacturers.

By the way, a bunch of those manufacturers are in my home State of Ohio. Ohio produces pipe. Ohio produces the kind of steel—the structural steel—that goes into the construction of the pipeline. Ohio also produces the monitors that go on this pipeline. We also produce other things, such as pumps and compressors. So this will create jobs in my home State of Ohio. I have toured these factories and talked to these workers. They are going to have the opportunity now to roll that steel, build these compressors and so on, and for them this is important too.

Some of the critics of the pipeline have attempted to undermine these numbers by claiming the jobs related to the pipeline are not permanent. I don't know what to say about that except are any construction jobs permanent, by that definition? We certainly want construction jobs. This administration—the Obama administration—talks all the time about the need for more infrastructure projects to create more jobs. This is an infrastructure project. By some measure it may be the biggest infrastructure project in America over the next couple of years if we approve this thing. It will create not just jobs but good jobs. This is the kind of work we want to have more of in this country.

This is a why a lot of labor unions, including the building trades, are excited about this, because they know it is going to be able to lower unemployment and get the people back to work who have lost their jobs.

Others have expressed environmental concerns. Let's look at the facts. Let's look at the science. With every environmental study that has been conducted, the pipeline has passed. In fact, we know the pipeline is safer and more environmentally sound than the alternative. What is the alternative? What is happening now—it is transporting this oil by truck, transporting this oil by train. As we know, and as the CRS report has said, a lot of this oil actually doesn't even come from Canada. It comes from the Bakken. The Bakken is actually in America. It is in North Dakota and in other places. So some of

that oil is now being moved by truck and train. It is better that it go by pipeline. It is more efficient, of course, and less costly, but it is also safer environmentally.

Let's debate this issue. I am happy to do that, but let's try to stick to the facts. The fact is this thing just makes sense. For those who oppose it, I would ask: Why is it so different from all the other pipelines we have constructed in this country? In all our States we have pipelines. When we build this, it won't be the first pipeline to carry oil across international boundaries, by the way. It won't be the second or the third. It will actually be the 20th—the 20th pipeline to carry energy across international boundaries. It will be the fourth one to import oil—specifically oil from Canada.

Just to give some idea of how the permitting process of XL has been, of the three other Canadian pipelines that have been approved, it took the Federal Government 15 months on one, another was 24 months, and another was 28 months. The permitting process for this one—the Keystone XL—has now dragged on for over 76 months and counting.

So look, I have heard people on the floor say: What is the rush? Why are we rushing this? I don't think we are rushing. I think this makes sense. Just as we have approved other pipelines, we go through a process, and now we should have the ability to move forward on these jobs and the energy security that it provides.

By the way, when this debate is over, we also need to think about our permitting system. To me, this is really an indictment of our entire permitting system in this country. We need to do something about it, where you simply can't get a project approved. And by the way, I am not just talking oil and gas projects. I am talking about other energy projects—solar projects. I am talking about siting windmills. I am talking about hydro projects.

I first got involved in this issue because there was a hydro project on the Ohio River, of all places, that was being held up by Federal regulations. The folks who were trying to get this through came and said: We can't believe how complicated it is to get a permit from the Federal Government. As soon as we get one permit from one agency another agency comes in. They require it be done sequentially, and it is taking us forever, and we are losing investors. Those investors are going not just across the Ohio River to another State, they are going to another country because the Federal permitting system is so bad in this country.

That is why I intend to introduce bipartisan legislation called the Federal Permitting Improvement Act. Senator McCASKILL of Missouri is my cosponsor. We are hoping to bring that to the floor very soon too because the American government shouldn't be standing in the way of good projects, particularly these energy projects that are so

important. The American Government shouldn't be standing in the way of good American jobs. That is exactly what is happening. We need to streamline the approval process. It can be done and be done in a bipartisan way.

So it comes down to this. We hear a lot about an "all of the above" energy strategy in the Senate. Everyone seems to be for it. It is a position the American people support, by the way, overwhelmingly. I have been to the floor many times to express my support for an energy policy that includes everything from nuclear to oil, natural gas, renewables, coal, and of course, increased energy efficiency, as we talked about earlier. We will need all of those if we want to continue to see energy prices fall and to continue to see our reliance on dangerous and unstable parts of the world decline.

An "all of the above" energy strategy includes the Keystone Pipeline and other projects like it. So if you want to say you support all of the above, you better support Keystone. If you don't support the pipeline, I think you have to explain to the American people why you stood in the way of 40,000 good-paying jobs, why you opposed a project that is more environmentally safe than the alternatives out there now, and you need to explain why you opposed an "all of the above" energy strategy that can keep prices low and help secure North American energy independence. That also affects our national security. For us not to be dependent on these volatile and dangerous parts of the world is good for our national security. Let's stop sending the money to the Mideast. Let us keep the money here in North America.

Let's stop the delay. Let's make construction of this pipeline a reality. The American people are watching. We have all spent time in our States over the last month. We have all heard over and over again that the American people want us to work together. They want us to cooperate where we can, particularly on issues that relate to jobs and the economy and getting things moving in this country. I think this current legislation can be a model for how the Senate can operate and a sign that we have heard the message the voters sent in November.

This final bill will be the model, as I said earlier, of an open process where people can come to the floor to debate, as I have today, and not just on the underlying legislation but on the amendments on energy efficiency. That is good. At the end of this process, it will likely contain some policies that I fully support. And by the way, the final bill will probably contain some policies I don't support, because that is what happens when you have an open process. People will be able to come out here, make their best argument, and people will vote yea or nay, depending on how they feel it affects them, their States, and their constituents. That is what is happening on the Senate floor, and that is a good thing for our coun-

try and a good thing for getting to the right policy.

When the amendment process is complete, I believe we will have produced a bill that advances this goal of implementing a true "all of the above" energy policy, while creating more jobs for the American people and protecting our environment in better ways. That is what we all want, and that is why this legislation is a win for all Americans.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PARIS UNITY RALLY

Mr. COATS. Madam President, throughout history a single picture has revealed the political reality of the moment.

Before we had photography, there were artist depictions of Caesar entering Rome, General Washington crossing the Delaware, and Napoleon crossing the Alps. When photography came, we could see the images that defined America's role in the pivotal moments of existential threats to our values, our faiths, and our way of life: Roosevelt and Churchill sitting beside Stalin in Tehran and later at Yalta, President Kennedy at the city hall in Berlin, and Ronald Reagan at the Brandenburg Gate.

The pictures that define the moment, the pictures that are seared into our minds, images that stay with us throughout our life are all powerful, and they have the common theme and the common purpose of confirming America's essential leadership role in global affairs.

In all of these examples and thousands of others, we can see the world looking on Americans with respect and with the expectation that we will be there at moments critical to the world's future—they are there not just to participate but there to lead where U.S. leadership is essential to the success of the endeavor.

Today, possibly the most powerful image that evokes most clearly a new reality is this image right here. Here, we see many of the world's leaders of major nations—some of the most significant, influential leaders—walking arm-in-arm down a Paris boulevard as a united protest against the grotesque barbarism that threatens us all. The leaders of Europe, Africa, the Middle East, and even those who in other circumstances are not united, are united arm-in-arm, marching in front of literally millions of Europeans from France and other countries.

Yet something is tragically missing. The most profound significance of this picture—which has been shown around the world and which has been seared

into our minds as a defining moment—is that America is nowhere to be seen, looking at this picture, with the world's leaders, some diametrically opposed ideologically to each other but united here. And we are told that throughout the millions of people who were there, if there was the presence of an American representative, that person was not seen.

If the world needs any further demonstration of America's decline and our growing irrelevance, it is this utter absence at this potentially defining moment of rallying the nations of the world to address this existential threat to the most basic of our values and our freedoms.

It is not just an image problem, although the image itself carries the message, it is a substance problem.

This group of world leaders and millions of others joined together in Paris last weekend to show the entire world that a threat to our principal freedoms is entirely unacceptable to us all and will be resisted by all of us, an unacceptable mortal threat to freedom of expression, freedom of conscience, freedom of religion, and freedom of the press.

My friend and former colleague Joe Lieberman wrote a piece in today's Wall Street Journal that articulately defines this threat and how we must respond. In his piece, he wrote:

In rapid order, the three attacks in France last week showed more clearly than ever that the international movement of violent Islamist extremism has declared war on Western civilization's foundational values, which are embraced by so many people throughout the world. The murders of police officers, cartoonists and Jews were attacks against the West's most central values and aspirations—the rule of law, freedom of expression and freedom of religion. This radical extremism will continue to threaten what we hold dear unless it is fought and eventually defeated.

Millions gathered not only because 16 people died so tragically, they also gathered because those who would pervert their faith in order to lure deluded young people into violent extremism must know that we will all oppose them no matter what it takes.

So how can we reconcile this vital mission with America's utter absence? No excuses are sufficient. No apologies or explanations about bureaucratic ineptitude will be enough to undo the damage caused by our absence and depicted throughout the world.

Some may say the President didn't attend because of security concerns. Writing for the Wall Street Journal, Peggy Noonan said, "Life is a security concern, you must do what's right."

Sadly, the President's absence is an accurate reflection of how this administration sees our role in the world. During the past year we have seen a long list of foreign policy disasters—the rise of the most potent and violent terrorist organization in history; the continued disintegration of Syria; American hostages beheaded in full public view; a resurgent Taliban con-

ducting more attacks in Afghanistan; and the Government of Iraq losing control of a third of the country, including cities and provinces soaked with the blood of American troops. We have seen our old enemy Al Qaeda and its affiliates metastasize throughout the Middle East and north Africa to mount threats from Sudan, Somalia, Yemen, and now even France. We have seen the Islamic State mount media campaigns that have persuaded thousands of Americans, Europeans, and others to flock to their black banners. We have seen an ill-conceived and poorly prepared Middle East peace initiative collapse under the weight of unattainable expectations.

All of these problems and many others—some colossal disasters—have been aggravated by U.S. policy failures. Those failures have come from a White House isolated in a wasteland of confusion. The Obama administration has no coherent strategy for dealing with the world other than, in a now famous paraphrase, "Don't do stupid stuff." Shrouded in this fog of indecision and failures, is it any wonder that we could not find the vision to join with the rest of the world to show purpose in Paris?

It is deeply ironic and appropriate that the events in Paris were all generated by the power of imagery—cartoons, no less. Those events have now produced this new imagery, a picture of global common action in which the United States is tragically absent.

Madam President, I yield the floor.  
The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, we are awaiting the arrival of Senator FRANKEN to bring up the amendment relating to U.S.-made steel that is part of the agreement we entered into just a little bit ago that would allow for a series of amendments to be brought forward to the floor. The first was my substitute amendment to S. 1; Senator MARKEY has brought forward his amendment No. 13; Senator PORTMAN, his energy efficiency bill.

What I would like to advise Members is that these are the matters pending before the body at this point in time. We certainly welcome debate on these issues.

Obviously, energy efficiency is very key to any energy debate. The aspect of export is one also that is worthy of discussion and, I hope, good debate on both sides as we go forward.

I would encourage Members to speak not only to these issues, but if there are other issues they would like to have brought to the floor—while we won't be in a position to allow other Members to offer their amendments at this time under this agreement, there is certainly plenty of time to be talking about them.

Prior to the entry of the agreement, Senator SANDERS came to the floor and spoke about his intention to offer an amendment at a later point in time.

I again invite Members to be engaged, to be part of this open amend-

ment process we are part of. I think for some it is new and it may take a little bit of getting used to, but that is a good thing. It is a good thing because these are areas that are worthy of debate on the Senate floor. When we are talking about jobs, when we are talking about our energy security, when we are talking about the strength of our economy, it is always timely to have this debate.

I will again remind colleagues that our next opportunity to discuss these issues will be Friday morning, when we will be in session to take them up.

I look forward to more discussion from across the aisle.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 17 TO AMENDMENT NO. 2

Ms. CANTWELL. Madam President, on behalf of Senator FRANKEN, I call up his amendment No. 17.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Ms. CANTWELL] for Mr. FRANKEN, proposes an amendment numbered 17 to amendment No. 2.

Ms. CANTWELL. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the use of iron, steel, and manufactured goods produced in the United States in the construction of the Keystone XL Pipeline and facilities)

After section 2, insert the following:

#### SEC. \_\_\_\_ . USE OF UNITED STATES IRON, STEEL, AND MANUFACTURED GOODS.

(a) LIMITATION.—Subject to subsection (b), to the maximum extent consistent with the obligations of the United States under international trade agreements, none of the iron, steel, or manufactured goods used in the construction of the Keystone XL Pipeline and facilities approved by this Act may be produced outside of the United States.

(b) NONAPPLICATION.—Subsection (a) shall not apply to the extent that the President finds that—

(1) iron, steel, and the applicable manufactured goods are not produced in the United States in sufficient and reasonably available quantities with a satisfactory quality; or

(2) inclusion of iron, steel, or any manufactured good produced in the United States will increase the cost of the iron, steel, or any manufactured good used in the Pipeline and facilities by more than 25 percent.

Ms. CANTWELL. Madam President, we have made some progress with proceeding to this very important issue and Members are obviously coming to the floor to talk about their amendments and offer their viewpoints on this legislation.

I would just point out that I hope we have a chance to consider some of the



other amendments we have been talking about, the issue of whether companies in the tar sands business should be paying into the oilspill liability trust fund. We talked earlier today about how the oilspill liability trust fund which U.S. companies are required to pay into and is critical for cleanup. I want to add some documents to the RECORD of this case we had in Kalamazoo where the company may have hit its cap and where it may—for that Kalamazoo spill on tar sands—be asking the oilspill liability trust fund to actually recoup the benefits they had to pay out.

To me this is a very important issue. Here is a company where we have tar sands spilling into the Kalamazoo River and actually costing, I think, something like \$1.2 billion, and instead of this company paying into the trust fund and paying for costs on this, they basically are going to take money that U.S. companies paid into the trust fund and be recouped because of this. So I just want to get this right, and I hope we can work with our colleagues on another amendment on that process.

I ask unanimous consent to have printed in the RECORD an article that just appeared in the paper from the AP about how TransCanada is said to offer landowners a price for their land in Nebraska at which point if they don't come to an agreement by this Friday the company can use eminent domain to take the land.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Associated Press, Jan. 13, 2015]

ATTORNEY: LANDOWNERS STILL HAVE OPTIONS  
IN PIPELINE DISPUTE

(By Grant Schulte)

LINCOLN, NE (AP).—Nebraska opponents of the Keystone XL oil pipeline will continue to fight the project, even though the state's highest court allowed its planned route to stand, an attorney for the group said Monday.

Omaha attorney Dave Domina said landowners on the route can challenge the project again once pipeline developer TransCanada uses eminent domain to get access to their property. Once the company begins that process, Domina said individual landowners can fight the company in court battles that could take two to three years with appeals.

In addition, Domina said the landowners could file a new legal challenge against the law itself, using landowners who live directly on the route. Or they could lobby Nebraska lawmakers to try to change the law. It's too early to know which approach they'll choose, Domina said.

"This decision has simply been punted down the road, to be answered another day," Domina said in an interview. "It's up to TransCanada to make the next move."

The Nebraska Supreme Court on Friday ruled against three landowners who sought to overturn Nebraska's 2012 pipeline-siting law, which they say violates the state constitution. Not all of the plaintiffs owned property along the route, but the group sought legal standing as Nebraska taxpayers challenging an illegal use of state money to review the project. TransCanada later reimbursed the state.

The Nebraska attorney general's office argued that, among other things, that the

landowners didn't have legal standing to bring the case.

The high court ruled 4-3 that the plaintiffs had standing, and four judges also deemed the law unconstitutional. The remaining three declined to review the constitutional arguments, arguing that the landowners lacked the legal standing. A five-judge supermajority was needed to overturn the law because it raised a constitutional question.

Pipelines are generally reviewed by the Nebraska Public Service Commission, but the siting law allowed then-Gov. Dave Heineman to approve it after a review by the state's environmental department. Heineman, a Republican, supported the pipeline, and the environmental department is a part of the governor's administration. Public Service Commission members are elected.

TransCanada spokesman Shawn Howard said offers to landowners are set to expire on Friday, at which point the company can begin eminent domain proceedings. Howard said the company will continue to discuss deals with landowners who are still negotiating in good faith. When warning letters were sent in December, the company said it had voluntary agreements from 84 percent of landowners along the route.

The \$8 billion pipeline would carry oil from Canada through Montana and South Dakota to Nebraska, where it would connect with existing pipelines to carry more than 800,000 barrels of crude oil a day to refineries along the Texas Gulf Coast.

Environmentalists and other opponents argue that any leaks could contaminate water supplies, and that the project would increase air pollution around refineries and harm wildlife. But many Republicans, oil industry members and other backers say that those fears are exaggerated and that the pipeline would create jobs and ease American dependence on oil from the Middle East. They note a U.S. State Department report raised no major environmental objections.

Ms. CANTWELL. So while I think this is very interesting that Congress is trying to expedite a process here by which the TransCanada pipeline is approved and the Nebraska Supreme Court made a decision basically on standing and had four of the seven justices say that this was unconstitutional—what the legislature did in trying to take away the public interest standard—this company is not waiting one second to say that property owners who never got the public interest standard met are going to get shortshrifed again and they are just going to go ahead. So I don't see why Congress is trying to help a special interest hurry and make a decision when they are not trying to give any landowner the benefit of a process or give landowners the ability to negotiate. They are just going to go ahead with eminent domain.

So it is a very interesting tale we are going to talk a lot more about in the ensuing days about all the special attempts that TransCanada has done to try move ahead with this pipeline without following due process.

As I noted earlier this morning I found it very interesting that at the very time the State Department was saying to TransCanada that their current proposal goes through an aquifer and really should go somewhere else, TransCanada was looking for support in Congress to go ahead and approve

the pipeline through the aquifer by saying the State Department had to approve it. Clearly, here is somebody who just wants this pipeline no matter what, no matter where, and is going to use every attempt to not follow the rules. So we hope that we will have a very healthy debate about why Congress shouldn't be entering into this kind of special interest deal on behalf of this company.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY BISON ON WINNING THE 2014 NCAA DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE GAME

Mr. HOEVEN. Madam President, I wish to make a number of points in regards to the Keystone XL pipeline approval bill, the legislation we are currently considering. But before I do so, I am planning to submit a resolution on behalf of the North Dakota State University Bison who won their fourth national championship on Saturday against the Illinois State Redbirds. It was a spirited and wonderful game in Frisco, Texas.

I know, Madam President, that you had a team that was in the hunt, so to speak, and played a tremendous game in New Hampshire against the Illinois State Redbirds. It is a testament to the quality of the teams in the FCS championship, the Division I playoff series. Teams such as the University of New Hampshire had a tremendous year of outstanding coaching and great student athletes.

I watched the game between the Illinois State Redbirds and the University of New Hampshire. It was a fantastic game that went right down to the wire. It just speaks to the fact that there are excellent teams in this division and tremendous athletes. A lot of teams had great seasons. So I certainly want to begin by commending all the teams that were in the playoffs, including our opponent in the championship game, the Illinois State Redbirds. They did a great job.

But North Dakota State University, the coaches, everybody on staff, the leadership of the North Dakota State University and these student athletes had just a fantastic year. So I want to congratulate them. Four years in a row is unprecedented. Nobody has won the national championship in Division I football in their division in the playoffs in history. So this was certainly a great achievement.

I am planning to submit the following resolution to honor the North Dakota State Bison. It says:

Whereas, the North Dakota State University (referred to in this preamble as

"NDSU") Bison won the 2014 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Football Championship Subdivision title game in Frisco, Texas, on January 10, 2015, in a hard fought victory over the Illinois State Redbirds by a score of 29 to 27;

Whereas, NDSU has won 12 NCAA football championships;

Whereas, NDSU has now won four consecutive NCAA Football Championships since 2011, an unprecedented achievement in Football Championship Subdivision history;

Whereas, the NDSU Bison have displayed tremendous resilience and skill over the past four seasons, with 58 wins to only three losses, including a streak of 33 consecutive winning games;

Whereas, Coach Chris Klieman and his staff, through their dedication and talent, have continued the excellence of the Bison football program;

Whereas, the leadership of President Dean Bresciani and Athletic Director Matt Larsen has helped bring both academic and athletic excellence to NDSU;

Whereas, an estimated 17,000 Bison fans attended the Championship game—

Including myself—a fantastic game—reflecting the tremendous spirit and dedication of the Bison Nation that has helped propel the success of the team; and

Whereas, the 2014 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota:

Now, therefore, be it

Resolved, That the Senate—

(1), congratulates the North Dakota State University football team as the champion of the 2014 National Collegiate Athletic Association Division I Football Championship Subdivision title;

(2), commends the North Dakota State University players, coaches, and staff for their hard work and dedication; and

(3), recognizes the students, alumni, and loyal fans for supporting the Bison on the successful quest of the team to capture another Division I trophy for North Dakota State University.

I will be entering that resolution into the RECORD to honor and recognize the team in a program that has done just an incredible job this year. I know how hard those student athletes worked. It is a privilege to honor them with this resolution and commend them on their outstanding achievement this year winning their fourth consecutive national championship.

Thank you, Madam President.

Now I would like to shift to the continued discussion of the Keystone XL Pipeline approval legislation that is currently pending on the floor. I am pleased to say that we have reached agreement now to proceed to the bill. In fact, we will be voting on amendments—not this week. But we can at least tee up amendments this week, and we will be starting votes on these amendments beginning next week.

That has been the idea all along—first, to advance to this bill; it is important energy infrastructure legislation—but also to have an open process to return to what we have referred to as regular order on the Senate floor in an effort to work truly in a more bipartisan way and to get the work of the Senate done for the American people.

That is the idea with this energy legislation—to make sure we are having the debate so we give everybody the opportunity to come forward and to present their amendments. We will debate them. They can then get a vote. For the amendments that can command 60 votes—it takes a bipartisan vote to pass anything because neither party has 60 votes—it requires bipartisanship. Any amendments that can garner 60 votes will be added to the legislation, and I hope that fosters the best legislation possible and enables us to get our work done on behalf of the American people—not only on this bill but on other important legislation to help move our country forward as well.

There are a number of arguments that have been made this afternoon by some of the critics of the bill, and while greatly respecting their right to come forward and present their opposition to the legislation and any criticisms they feel they want to present, I also want to take the opportunity to rebut a number of those. Of course, that is the whole focus and effort here in terms of the debate—to have this debate and hopefully convince people that what we have is good legislation. If we can make it better with amendments, great, but at the end of the day, we pass this legislation and get this project approved on behalf of the American people.

It is about energy, it is about jobs, it is about economic growth, and it is about national security. It is a great place to start in this new Congress, where we are focused like a laser on growing our economy and creating jobs for the hard-working taxpayers and people of our country, for the middle class, for the folks out there working every day. And for those not working and looking for a job, let's find ways to make sure we get this economy going and that we get jobs for them. This is a great example. This is the largest shovel-ready project—at almost \$8 billion—that we have, and it is ready to go. It doesn't cost one single penny of government money. It is privately financed, and it is all about creating the kind of business climate and powering the kind of investment that will help grow our economy.

One of the discussion points I have been hearing is this whole issue of, well, this somehow is just for Canada and not the United States or that we are doing this for Canada. I will start with the premise that our closest friend and ally in the world is Canada, so the idea of working with Canada makes a lot of sense to me. They are our largest trading partner. We work with them all the time. We have a unique and wonderful relationship that very few countries have.

So to start with this criticism that this is just for Canada and not for the United States, I am thinking: Yes, and it is a bad idea to work with your friends, why? It seems to me that that is a good selling point. If this is good for Canada, then great. I hope we are

doing good things for Canada, and I hope they are doing good things for us. That is how friends and allies work together. The whole concept that somehow this is a bad idea is lost on me. To me it seems as though it is a positive when we can work together with Canada.

The fact is it is not just good for Canada—it is good for Canada, but it is really good for the United States too, and that is the whole point. In that line of argument that it is somehow good for Canada and not good for the United States—the critics say it is good for Canada because they produce oil up here in Alberta, and they are going to move that oil down to our ports and they are going to export it. Well, that is not the case.

Is it possible that some oil could be exported? Yes. But the reality is a lot of this oil is coming to our country and will be used in our country, and even more than that, it is not just Canadian oil. The argument that this is somehow just Canadian oil and it is going to be exported is wrong. It is wrong on both counts. I wish to take a minute to rebut that because that argument has been brought up a number of times.

As a matter of fact, I believe it is the focus of one of the first amendments that has been offered by the good Senator from Massachusetts. He wants to include a provision that says none of the oil can be exported because it is all Canadian oil and it is all going to be exported. Well, on both counts, that is wrong. Oil from North Dakota and Montana, out of the Bakken formation—our State oil in North Dakota produces 1.2 million barrels of oil a day. We are second only to the State of Texas. But because we don't have enough pipelines, we have to move 700,000 barrels a day on rail.

We are trying to move agricultural goods. We are the leader of 14 different major agriculture commodities. We have all kinds of other products that we produce, as do the States in our region, which includes Minnesota, South Dakota, and Montana. But we have tremendous congestion on our rails because we are putting more and more oil on rail. We have 700,000 barrels a day going out on rail and growing as we continue to grow our production in this part of the country. So we need more pipelines.

What you see on this diagram is the original Keystone Pipeline that was constructed and built when I was Governor of North Dakota, and this yellow shows the sister pipeline we are trying to build.

As you can see, this goes right through our State, and the new pipeline goes right next to our State. The whole point is we want to put 100,000 barrels a day—at least for starters—of our light sweet Bakkan crude in this pipeline.

It is not just moving Canadian oil, it is moving domestic oil as well. It is moving U.S. oil. When you hear that it is just going to move Canadian oil,



that is already wrong. How about we stick to the facts? How about we make sure we foster real understanding? How about we tell people what is really going on here? It is not just Canadian oil, it is Canadian and it is U.S. oil.

The whole point is this is the kind of infrastructure that helps us achieve North American energy security. What do I mean by that? I mean by the United States working with Canada, we can produce more energy than we consume, and that is energy security. That means we don't have to depend on importing it from OPEC, that means we don't have to depend on importing it from Venezuela. When push comes to shove, we produce more oil and energy than we consume. That is a national security issue.

When you drive up to the pump today to fill up your car, take a look and check out the price at the pump. It is less than \$2. It is about half of what it was maybe a year ago, right? That equates to \$100 billion to \$125 billion in savings for American consumers. Why is that happening? Is it that OPEC decided: Hey, let's give America a Christmas present? Is it because Vladimir Putin decided: Hey, let's get some energy over to America? Is it because Venezuela said: Hey, let's drop the price at the pump in America? Why is that happening? The reason it is happening is because we are producing so much more energy in our country in places such as North Dakota and Texas and the Bakkan and in the Eagle Ford. We are producing more natural gas in places such as the Marcellus and Utica, and the shale across our country, and because we are getting more oil from Canada because we have more supply, that is bringing the price down. More supply puts downward pressure on prices.

Every consumer is benefiting at the pump. A 60-cent drop in the price of gasoline translates from a \$100 billion to \$125 billion tax cut for the people of our great country, for the small businesses, and for all the industry sectors that rely on energy, and that is most of them, right? That is the benefit we are creating by working together with Canada to produce more energy. It truly is more energy, lower prices for our energy, making us more competitive in a global economy, it is jobs for our people, economic growth, and it is a national security issue. It truly is a national security issue.

Back to the point it is all going to be exported. First, it is not just Canadian oil. It is Canadian and U.S. oil, and I have gone through that.

On the issue that it will be exported—they say, look, the pipeline goes from Hardisty in Alberta all the way down to these ports—Port Arthur. So that must mean it is all going to be exported. No. It is going from where it was produced to where it is refined and consumed. It comes from Hardisty, down to Steele City, and from there it can go to Patoka, IL. Why? Because there are refineries there and pipeline

networks where it can go into the eastern part of the United States.

It also goes to Cushing, OK—a huge pipeline network that goes all over the country, and it is based out of Cushing, OK, so it can go almost anywhere.

The idea that building a pipeline is somehow an unusual or difficult thing to do—well, let's take a look at all the pipelines we have moving oil and gas around this country. The whole point is when you bring that pipeline through, you can interface with all of these networks so you can move it all over the country.

For somebody to look at this and say: Oh, gee, look, because it goes from Hardisty down to here, it will all be exported. Come on, let's tell people what is really going on. There is the pipeline. It can go through many different routes and across the country. Don't just take my word for it because I am an advocate for the pipeline. People say: Well, he is pushing for the pipeline, and that is what he says. Fine. Let's go to what the State Department and the Department of Energy say. Let's go to the Obama administration's State Department and the Department of Energy and see what they say.

Here in January of 2014, the State Department determined in its final environmental impact statement—

[The export of the oil] appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

That was in the final environmental impact statement, section 1.4.6.2. I will repeat that statement.

[The export of oil] appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

So there we have the State Department and the environmental impact statement saying they are going to use the oil in the United States.

How about the Department of Energy? In its report, the Department of Energy determined that it does not make economic sense to ship the oil to China. Furthermore, any export would need to obtain a Department of Commerce license before it is exported. I am not saying that none of it will be exported, I am saying that according to the State Department and the Department of Energy, it will be used in this country, and before it could be exported, you would have to have the Secretary of Commerce say it is OK for some of that oil to be exported. The Obama administration would have to approve exporting some of that crude before it could be exported.

Furthermore, refiners that have contracts with TransCanada, which is Valero, have publicly confirmed that the oil that will be shipped through the Keystone XL Pipeline will be used for U.S. domestic needs. The United States retains 99 percent of all crude within the country and uses 97 percent of the gasoline refined in the country. A large majority—over 90 percent—of transportation fuel refined in the United States is for use in the United States.

Look, these are global markets. I am not saying that there is none that would be exported, but my point is we are going to use this oil in the United States, and if we don't build this pipeline, then one of two things will happen—again, according to the environmental impact statement that was done by the Obama administration.

If you can't build a pipeline, then it is going to have to be railed into this country, the same way I got done telling you that we rail 700,000 barrels a day out of my State of North Dakota. We will have to rail more of the domestic crude that I mentioned out of here, continuing the congestion on the rails, and we will have 1,400 railcars a day moving that oil because you can't move it on the pipeline. All of those locomotives produce emissions, right? We will either have to have 1,400 cars a day railing it or you are not going to build the pipeline and Canada is going to build pipelines to the west coast of Canada, and then they will load it on tankers and take it to China, thereby producing more greenhouse gas emissions, and refining the oil in Chinese refineries with higher greenhouse gas emissions.

And, by the way, since we are not getting that oil, we will have to bring more in from OPEC for us, right?

Under this scenario where they build the pipeline to the west coast and send it to China, how much of it will come to us then? Then it is all exported, isn't it?

This argument that some of it might get exported, then the converse of that—or the result is to say, we don't want the pipeline because some of it might get exported. So, in essence, we blocked it from coming here, and so then it will all be exported and it all goes to China. Wow. That makes sense? Let's see, because some of it might get exported, then let's make sure we don't have the pipeline so make sure it all gets exported, but we don't want it exported.

What am I missing here? Where is the common sense? When push comes to shove and we are not in a situation like we are right now where prices are low, when prices start going back up based on supply and demand and all of those things, or when there is conflict in the world that disrupts supplies, would we rather have control of that supply of oil from Canada or would we rather make sure it all goes to China?

When push comes to shove and we need the energy, when prices are high, or when there is volatility or conflict in the world, do we want to make sure that all of those resources are going to China and then we can go hat in hand and ask them for it, or would we rather have control of it? That is why I wanted to take a few minutes to rebut the argument that, oh, gee, it is all going to be exported rather than a more commonsense view of, well, gee, some might be exported because it is a global economy, but if it is, they have to get the Obama administration's approval to do it.

If you don't build the pipeline, you are either going to have it all come by railcar or you are not going to have any of it, and 100 percent of it will be exported because we would force all of it to go to China. Under any of those scenarios, you are still producing the energy up there, aren't you?

I will shift to the environmental argument. I will go back to this chart. There is another argument I wish to rebut for a minute. The argument is, oh, gee, all of this might be exported so we don't want the pipeline because we are trying to prevent the oil sands from being produced because of the environmental aspect of greenhouse gas.

As I just pointed out, even without the pipeline, the oil is still going to be produced. Again, this is not me saying that. Go back to the environmental impact statement. Go back to the science. Go back to the report done not once, not twice, not three times, not four times, but five times by the Department of State and their environmental impact statements—three draft statements, two final environmental impact statements, five different studies. What they say is the oil is still going to be produced so if we don't build the pipeline, our emissions are going to be higher from greenhouse gases than if we build the pipeline. Why is that? I went through some of that already. No. 1, we will have it all moved through railcars, which produce more greenhouse gases than a pipeline—1,400 rail cars a day. It will be shipped to China, which will refine it in refineries that have higher emissions than ours. And we are going to have to haul it in from other places such as Venezuela. So we have greenhouse gas emissions from the ships as well. So the reality is—and the environmental impact statements show it—that we have lower greenhouse gas emissions with the pipeline than we would without it.

As we have talked about on the floor many times, everybody is entitled to their own opinions, but they are not entitled to their own facts. Those are the facts as laid out very clearly, as I say, in not one or two environmental impact statements but in three draft environmental impact statements and two final environmental impact statements.

The other point I wish to make on the environmental aspect is that we produce oil in California and we import oil from Venezuela that has greenhouse gas emissions that are as high or higher than oil produced in the Canadian oil sands.

Another point I wish to make is that Canada is working to reduce both the greenhouse gas emissions and the environmental footprint of their production in the oil sands. Since 1990, on a per barrel basis, in Alberta, Canada, the producers of oil from the oil sands have reduced the greenhouse gas emissions by 28 percent—almost a third. So that is a 28-percent reduction in greenhouse gas emissions in oil sands oil from 1990 to the present on a per barrel

basis. So they have reduced it by almost a third, and they are continuing to find ways through better drilling techniques, through cogeneration, and through other efforts to improve the environmental stewardship of what they are doing there. That is the way it works. Rather than blocking investment in needed infrastructure, rather than blocking investment in new technologies, we need to encourage that investment because when we encourage that investment in our country and work with Canada, we produce more energy more cost-effectively with better environmental stewardship. When we block it, we don't get that technology, we don't get the energy, and we don't get the improvements in environmental stewardship.

That is the way we should be approaching this. We should be encouraging the investment.

As I said before, not one penny of government money is expended on the pipeline. We are simply allowing a project to go forward. Private companies invested almost \$8 billion in the largest shovel-ready project we have after the project has been held up by the Federal Government for more than 6 years—held up after every single State—all six States—every single one of them has approved it. But here we are 6 years later and the Federal Government is saying to those States that even though every single one of those States on the route has approved it, even though they want it, even though all the States will realize hundreds of millions of dollars in cash revenues and benefits not only from construction but from property taxes and other sources of revenue in building the project, and even though it won't cost the government one single penny, the Federal Government said no. Even though we have studied it for 6 years, that is not good enough. Even though in poll after poll 65 percent of the American people want it built, even though Americans want energy security here at home and in Canada, even though a bipartisan majority in the House and in this Senate support it, the President says: No, that is not good enough somehow. We would rather keep importing oil from OPEC.

That has to be music to OPEC's ears. Oh, good, the Americans aren't going to get serious and work with Canada and make sure they are energy secure. They are going to keep getting oil from OPEC.

That has to be music to China's ears. They want it. They are trying to buy these oil resources in Canada. They are not only trying to buy the oil. They are trying to buy the resources in Canada. But last I checked, we work for the American people, and the American people want energy security.

So we have an absolute obligation to make sure that as we are talking about this project, we are talking about the facts. We are not talking about our opinions. I know we are striving for clarity and an understanding of what is really going on.

When it comes to the environmental aspects and when it comes to whether the energy is going to be exported or used here, when it comes to the economic impact, when it comes to the job creation, and to all of these different issues, let's debate them. If somebody has an amendment we can add, let's debate that, too. It needs to get 60 votes. But let's make sure we are fostering understanding of what is really going on here so we talk about climate change and that type of issue that is relative to this project. Let's make sure we are clear. Let's make sure we are telling the people that this project will have no significant environmental impact, according to the U.S. State Department—the Obama administration's State Department. According to the Obama U.S. State Department—the Obama administration—according to their environmental impact statements, including three draft statements and two final statements done over more than 6 years: no significant environmental impact. Then when we talk about greenhouse gas emissions and the oil that comes from the oil sands, let's be clear that this is not just Canadian oil. It is also domestic oil from our country, from States such as North Dakota and Montana. Let's also talk about how the investment in new technologies is reducing the environmental footprint and reducing the greenhouse gas for oil sands production. There has been a reduction of 28 percent in greenhouse gas emissions since 1990 in the oil sands because of their investment in new technologies, in better drilling techniques, as well as their efforts going forward.

I do believe we are going to have officials from Alberta and from Canada coming during the next weeks to talk about what else they are going to do to make additional improvements in terms of environmental stewardship and the efforts they are undertaking to reduce further the environmental footprint and the greenhouse gas impact of the energy they are producing.

So with that, I wish to close. This really is an opportunity to work with our good friend Canada on a project of great mutual benefit, and that is energy security for North America and energy security for our country as well as for Canada. I think this is a project Americans very much want.

Again, I urge my colleagues to come forward to engage in this debate and, at the end of the day, let's get this done for the American people.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Louisiana.

Mr. CASSIDY. Mr. President, this is my first speech to the Senate.

It is interesting because as a child I would read about how the Senate was a great deliberative body. I would read of the debates in which issues were discussed that changed the course of our country's history. The key issue here is that it is a deliberative body.

I was in the Senate energy committee the other day and one of the opponents of this Keystone bill said we need to be guided by science. I like that thought. We are not to be guided by our prejudice. We are not to be guided by what we want to be the case. We are to be guided by the facts, because just as when I was a kid and I would read about how this great deliberative body would decide issues that would then decide our country's future, this Keystone bill decides the future for many issues.

With that said, let me also say that I just came over from the House of Representatives and one of the nice things I had the privilege to do was to enter a Keystone bill quite similar to this one, which passed. In the course of that being introduced, debated, passed, et cetera, I heard the arguments of those who were opposed to the Keystone bill, and I have been able to think about them.

I am pleased to say I think there actually is common ground. If the American people want the Senate to work together to come up with solutions on a bipartisan basis, and if we are to be guided by science and the facts and not by our prejudice, and if what we deliberate will help determine the future of our country and the many families in our country, I am pleased to say that we have common ground.

The opposition is concerned about climate change, increased carbon emissions, the amount of oil that might be spilled, whether this encourages the use of fossil fuels, and are the jobs being created worth being created? We can address these factually, not by prejudice but by using, actually, President Obama's own State Department information. With that kind of source—it is President Obama's State Department providing the answer to these questions. So let's go through them.

First, the President's own State Department says that building the pipeline will decrease carbon emissions, there will be less oil spilled. By the way, it will not only create jobs, but it will also save workers' lives. We are deliberating a bill here which, according to President Obama's State Department, will save lives. That is truly changing the future of somebody.

In detail, on page 34 of President Obama's State Department report, it says that the pipeline would have no significant environmental impact. It will actually reduce greenhouse gas emissions by 28 to 42 percent relative to not building the pipeline at all.

President Obama's own State Department also acknowledges that these oil sands are going to be developed whether we build the pipeline or not. If they are not piped to the gulf coast of Louisiana and Texas to be processed, they will be sent to overseas markets such as China, creating Chinese jobs instead of American jobs.

I think it is also safe to say—we read about how in China people can't see the

blue sky. Their environmental standards are far more lax than ours. If it goes to the gulf coast, I can tell my colleagues I just came from Louisiana yesterday and I saw blue skies.

With all of our environmental standards, this will be processed in such a way which is most environmentally friendly. If it goes to China, there will be pollutants put out in the air which the jet stream will blow over the United States. If we are to be guided by science and not by prejudice, the science would say we should build the pipeline to allow the oil sands to be processed in the United States.

I heard one person say that he would be for the pipeline if he was sure the oil would not be exported. I don't quite know how to respond to that because if we don't build the pipeline it will absolutely be exported. It will be exported to China, and then quite likely we will buy the refined products that the Chinese then produce. On the other hand, again referencing President Obama's State Department, they have said that if we pipe that oil to the gulf coast, our gulf coast refineries are uniquely equipped to process that oil in an environmentally safe way, and so it is unlikely that it will be exported. I will add to that, according to the World Trade Organization guidelines, if we accept an import from another country, we cannot not export it should there be higher value.

But I return to what President Obama's State Department said, which is that the gulf coast refineries' unique ability to refine this in an environmentally sensitive way means that despite World Trade Organization restrictions, it is unlikely that it will be exported.

There are other benefits as well. It is clear that it will diversify our energy security. Instead of buying our oil from the Middle East or from countries like Venezuela who don't care for us—in fact, use the money we pay them in some cases to finance terrorism—it will come from a trusted neighbor who will spend that money that we pay Canada for this commodity back into the North American economy creating jobs indirectly in the United States that otherwise would not be, which leads us to the question, are these jobs worth having? In a word, the answer is absolutely. Now, we all know that creating better jobs for American families is what should be the Congress's priority.

For 6 years we have been talking about building the Keystone XL Pipeline and we have, if you will, postponed the creation of these jobs.

Let's just look at it. Refineries in my State of Louisiana and along the gulf coast would benefit because it would be roughly 100,000 barrels a day of crude oil transported to us. In Louisiana up to 12 percent of that oil would end up in our refineries, more than \$1 billion in revenue to our economy. It would create over 40,000 construction jobs over a 1-to-2 year period.

Some will oppose this and say these jobs only last for a week or two. I was outside the energy committee hearing room and there were a couple of fellows from trade unions who stopped me. They said, We need these jobs.

I said, what about the argument of the other side that the jobs will only last 2 weeks?

Those are the nature of our jobs. If you bring a master welder in, he or she will do their job for 2 weeks and then move on to another. But for our union members to get their union benefits, they have to work a certain number of hours per quarter or per month—I forget the unit of time—but this will allow them to meet that minimum requirement in order to continue to receive their union benefits.

I can tell you the crafts unions think that these jobs are worth having. These are well-paying jobs with good benefits. They are not the service sector in which hours might have been reduced from 40 to 30 hours a week. These are great jobs and great benefits.

The American people want Washington to work together. As I mentioned earlier, I introduced and passed Keystone legislation in the House of Representatives. Keystone has become a symbol for North American energy independence. Approving this pipeline is not the final step in this independence but it is the next step. It is a good step.

The case for approving this pipeline and other energy infrastructure projects is clear. I encourage my colleagues to join in approving the Keystone XL Pipeline and putting this debate to rest because I truly believe we have common ground, if we are to be guided by the science and the facts and not by prejudice. We know from President Obama's State Department that it reduces carbon emission, it will decrease the amount of oil spilled, it has minimal effect upon the environment, it will save the lives of the workers while strengthening our national security and enhancing our energy independence and creating 40,000 American jobs. That is why more than 60 percent of Americans support this bill. It is a jobs bill, a national security bill, and it is a bill which should be passed.

Thank you, Mr. President. I yield back my time.

**THE PRESIDING OFFICER.** The Senator from Kansas.

**Mr. ROBERTS.** Mr. President, might I say to the distinguished Senator from Louisiana, he indicated this was his maiden speech on the floor of the Senate. If that is so, I urge him to make additional speeches. I don't think I ever heard a more concise summary with regard to the pipeline issue than he just gave. We can certainly see why the people of Louisiana sent him here. It was perfect, it was cogent, and it was short. It was interesting. He had a bill very similar to this and Senator CASSIDY passed it in the House and he is now in the Senate. We hope that with enough debate we can have truly

a bipartisan effort with comity. This is a new beginning. We are so happy to have the Senator here. I thank him for his remarks.

Mr. CASSIDY. I thank the Senator from Kansas.

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 168 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ROBERTS. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we are getting close to a time when we are going to be able to see a reality here that we have been talking about—the Keystone Pipeline—for a long period of time now. When I go back to Oklahoma, people say: If you have something that no one is against who does not have a particular institutional reason to be against it—everyone is for it. When you see the jobs—no single thing we have dealt with in the last 3 or 4 years that I can recall has talked about 42,000 new jobs that otherwise are not going to be there, good-paying jobs.

I admit that I am biased a little bit because being from Oklahoma—Cushing, OK, is right in the center of the State. It is the hub of all of the pipelines going through America. But I see that there is really no logical reason—I heard someone on the floor just a few minutes ago saying: All those dirty oil sands up in Alberta are going to be—there is a great environmental risk from that. Yet they know full well that if for some reason the people who are opposed to fossil fuel altogether—such as President Obama—are successful, they are still going to produce that stuff up there.

China is chomping at the bit right now because China has a great need for the very ingredients in the pipeline that we do here in this country. They already have talked about transportation to the western part of Canada to get it to China. So it is going to happen. In fact, you could argue, if you are concerned about some of the environmental problems, if they do exist, they would be greater if China did it than if we did it. For example, China does not have any emission controls on all of the stuff that we are talking about the way we do in this country.

I think there are some things that are factual. I think everyone is aware of it. One is that President Obama has had a constant war on fossil fuels since the time before he was even President of the United States. When we look at what he has done and how he has committed—and we have heard all of those quotes from when he was talking to the far-left environmental groups, the Tom

Steyers and others like him who have put in the money to fight fossil fuels. He is one who is solidly opposed and doing everything in his power to keep us from finishing the pipeline.

Having said that—I will put the chart up on what happened just a year ago in my State of Oklahoma. The only visit the President has made to my State of Oklahoma was about a year ago—2 years ago. He came in and was—in the background there, that is a picture of him in Cushing, OK, and those are the barrels—this is what is taking place right now in Cushing.

He was talking about—his quote there, as you can read:

I am directing my administration to make this project a priority—

He was talking about the Keystone Pipeline—

to go ahead and to get it done.

Well, he made that statement and he came down to hold that meeting in Cushing, OK, to try to make them believe he was actually for a pipeline. He went on to say that he was going to make sure that he was not going to do anything to keep the pipeline from going on further south.

Now, let's get the picture here. You have Cushing, OK, which is right in the middle of the United States, and the pipeline will continue to go south to the Texas coast. Well, he said he was not going to do anything to stop that. There is a good reason for this; that is, he cannot. He does not have any jurisdiction. That did not cross an international boundary. The borders—the international border that it has crossed is in Canada. So that is the area where he is still to this day doing all he can to keep that from being a reality. The southern leg could be finished and he cannot do anything about that.

I mentioned Tom Steyer. I want to put up that chart so people know—in case they have not been introduced. He is probably a very fine person. He has a strong commitment to try to stop fossil fuels. He is the one who made the statement back before the November elections that he was going to raise \$100 million—put in \$50 million of his own money and raise \$50 million in addition to that—and put it in eight campaigns—I think we know probably which campaigns they were—to see whether he could resurrect the issue of global warming and whether he could stop the pipeline.

Well, all that happened back then. I think it is important that people understand that he was not able to—he was willing to put his millions of dollars in, but he could not raise the 50. So instead of that, he put \$70 million of his money in the race. This is not me talking; this is all—he is very proud of it. Frankly, I appreciate the fact that he is not trying to hide what he is doing. I know he has some political interests. I know he has a commitment to try to stop the pipeline. I am not sure what that is based on other than just the people to whom he caters.

But nonetheless he has a great deal of influence with this administration. It was reported a couple of weeks ago that he had visited the Obama White House 14 times—that is as of that time—which led a member of the watchdog group Public Citizen to say, "Tom Steyer has not just got the ear of the President, but he clearly has the President's attention." Again, that is this watchdog committee making that statement.

So we are looking at it now. We know that the White House meetings were often with President Obama's counselor and chief environmental advisor, John Podesta. We remember John Podesta from the Clinton administration. He has been a lobbyist now for quite some time. He is very actively involved in this issue. Reports have also surfaced that Steyer and Podesta met with billionaire liberal activist George Soros just days after Steyer made his commitment.

Anyway, that is behind us now. That affected the election, there is no question about that; however, they still lost. If I am guessing right on the races he was involved in, there is not one of those who won. Republicans took over 10 seats. That was quite a good year. So maybe he wasted several million dollars. But when we looked at it and if you think about what he has done to fossil fuels, that has been his war.

Twice today already I have heard people on the floor saying: Well, look at the success the oil industry has had under the Obama administration. Well, I have to suggest that it has been in spite of the Obama administration. The proof is very easy. The revolution that is going on right now within the oil industry is one that has been very successful. On private land and on State land, the amount of production since Obama has been in office has actually increased by 61 percent. That is incredible.

They say: Well, you must be really pro oil and gas because of that.

In reality, all of that, 100 percent of that 61-percent increase has been on State and private land. On public land, the Federal land that he has control over, there has not been an increase of 61 percent or even 6 percent. As a matter of fact, there has been a reduction of 6 percent.

So that is going on and it is all a part of this war that is taking place right now. I am very anxious to see how these votes turn out. I know that people, when they realize the number of jobs that are there, I get very excited about it, and I can't help but think we are going to be successful.

I wish to mention though—I wasn't going to—a person whom I consider to be a very good friend is on the floor, and we have philosophically disagreed with each other about as much as any two people can; that is, the Senator from Vermont.

He is sincere. He believes what he says. Yet some of the things he says I believe are wrong, but he believes

them. I don't want to question whether he is telling what he believes is the truth—and others too.

Another good friend of mine is the Senator from California, Mrs. BOXER. Frankly, I will miss her in the Senate. I understand she has announced her retirement.

But nonetheless, on the issue they are talking about on global warming, I listen and I think: Where do they come up with this stuff?

Because we know for a fact that many of the things that they talk about are not true. We keep hearing that 97 percent of the scientists are saying they believe CO<sub>2</sub> is the cause of the catastrophic climate change, the world is coming to an end, and we are all going to die.

This goes back to about 2002 when this became an issue. I will remember this for a long time because that was when the first bills were introduced. At that time everybody thought global warming was true. They were all going to try to do what they could to stop it.

Frankly, at the very first I thought it must be true—that is what everybody said—until they did a study at the Wharton School. Some of their scientists, along with MIT, Charles Rivers and Associates, and others said what the cost would be. Because everybody was talking about the world coming to an end and they asked: But what is cost going to be?

They all agreed on a range, and that range has not been refuted by anyone. The range is between \$300 billion and \$400 billion a year. I immediately went back to see. Whenever I hear a big number, I go back to Oklahoma and I count the number of people, families who file a Federal income tax return and then I do my math.

That would cost the average person and family in Oklahoma \$3,000. So we think: All right. Are we sure we are going to get something for the \$3,000?

I will share with you—because a lot of people have forgotten this—that Lisa Jackson was the first Administrator of the EPA who was appointed by President Obama. I asked her on the record, live on TV, in our committee, I said: Now let's assume we passed some of this legislation that puts in cap and trade or do it even by regulation. Is this going to stop CO<sub>2</sub> emissions or lower CO<sub>2</sub> emissions worldwide?

She said: No.

These are her words, not mine. She said: The reason is the problem isn't here in the United States, the problem is in China, it is in India, it is in Mexico, and it is in other places.

So in the event they were able to do that, then this would not lower it. In fact, we could use the same argument and say if we passed a cap and trade and did something—as they are talking about doing and we have heard on the floor today—then it would have the effect of not reducing but increasing CO<sub>2</sub> emissions, and this is why.

As we chase our manufacturing base overseas where they have to somehow

find someplace where they can generate electricity, it will be in countries such as China and India where they don't have any of the restrictions in emissions.

So even if someone is a believer that the world is coming to an end, that global warming is going to kill everybody and it is all due to man-made gas, if they truly believe that still, even in spite of that, it is not going to reduce worldwide emissions. I guess that is what they want to do, so we hear about the consensus.

I remember at that time I made a speech on this floor questioning the science. I said: I assume there are scientists out there who are not a part of the IPCC—that is the Intergovernmental Panel on Climate Change—and that those scientists know better. They know what the reality is.

I started getting phone calls. I got phone calls from scientists. On this chart are recognized scientists. There are 58.

Richard Lindzen, I see his picture. He is a scientist at MIT. I think we could argue he would be in contention with the very best informed scientists.

Richard Lindzen said:

Controlling Carbon is a bureaucrat's dream. If you control carbon, you control life.

Is that real, these people, or what? I remember how upset he was with Al Gore. Richard Lindzen made the statement again—this is him, not me, Richard Lindzen of MIT:

To treat all change as something to fear is bad enough. To do so in order to exploit that fear is much worse.

Now we have so many things that have happened. Just the other day—it wasn't long ago, I don't have the exact date—one of the universities did a survey of all the weathercasters, and they came back that 63 percent of weathercasters believe any global warming that is occurring is the result of natural variation and not human activities.

To say "97 percent of scientists" is just not true, but if you want to believe it badly enough you will. So we have a lot of information.

Nature journal, which is a well-respected journal, in their 2013 paper said that "there is considerable uncertainty as to whether [increases in extreme climate variability] is occurring.

Munich Reinsurance Company said: "Global weather related disaster losses have declined by 25% as a proportion of GDP."

We have all these statements.

The IPCC, they are the ones that are always being quoted, and it is a branch of the United Nations. That is where all this started and certainly it would enure to their benefit to have people believe that we have to look at some international organization such as the United Nations to protect us from all these droughts and all these things that they say are going to happen.

We had another little thing happen recently. I only mention this because

nobody has yet on the floor. I think everyone used to believe that everyone was already aware of it, but remember Climategate?

Climategate was when they were having one of the big United Nations parties. It was going to be in Copenhagen. I remember a lot of our people went over there to tell the 191 countries that were participating that the United States was going to pass cap and trade, they were going to do all of these things.

I went over at the very end of it, made my little talk, and assured them that in spite of the fact that President Obama had been there, Secretary Clinton at the time had been there and now-Secretary Kerry and all the rest of them—to say we are not going to be doing it in the United States of America. If anybody believes what they said, that we are going to pass cap and trade, we are not going to do it. They had tried it already. There were 35 Members—and at that time it was a much more liberal Senate than we have today—only 35 would actually vote for something like that.

Incidentally, it was at that time when Climategate came up. Climategate was when they analyzed some of the things IPCC had said, and they had all these quotes and emails that totally debunked the credibility of IPCC. Still today they are talking about it.

To give us an idea, Christopher Booker, with the UK Telegraph, said: "Worst scientific scandal of our generation."

That scandal he is talking about is to try to have them make people believe climate change is going to destroy the world.

Clive Crook of the Financial Times said:

The closed mindedness of these supposed men of science . . . is surprising, even to me. The stink of intellectual corruption is overpowering.

Again we are talking about Climategate. Nobody talks about it any more, but still this is a fact.

A prominent physicist from the IPCC, who is no longer there, said: "Climategate was a fraud on a scale I've never seen," talking about how they are rigging the information to try to cook the science.

So we have all of these—this is Newsweek. It said: "Once celebrated climate researchers feeling like the used car salesman."

"Some of the IPCC's most quoted data and recommendations were taken straight out of unchecked activist brochures. . . ."

So these are the things that are going on, and I hope the people, as we develop this right now—we should be concentrating on the vote that is going to be coming up having to do with the pipeline. But as the committee of jurisdiction is looking at this, I can assure you we are going to be having hearings.

One hearing we are going to have is to get some of the best scientists

around to evaluate and to see what the truth is on the global warming issue.

But in the meantime let's go back to the pipeline. I can't think of any argument against it that is overwhelming, and the mere fact that people say they don't like the Alberta sands or the production, it doesn't mean we in the United States of America are going to stop them from doing it because they will just do it and ship it to China.

So we have a huge issue we are concerned with. I can't think of anything I have seen in the past 4 or 5 years that is going to be producing more jobs in America than this issue.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROPOSED WATERS OF THE UNITED STATES RULE

Mr. GRASSLEY. Mr. President, I rise to speak about the issue of EPA regulation of waters of the United States rule. I see it as one of the biggest power grabs by an agency in a long time—particularly the EPA.

Before I speak on that issue, I wish to bring attention to some headlines that appeared both in Iowa and nationally on this issue. I will quote the Wall Street Journal: "Watch Out For That Puddle, Soon It Could Be Federally Regulated."

The next quote is from an Iowa Farm Bureau spokesman: "Water rule is really about control of land."

The next quote is from a Farm Bureau spokesman: "Water rule intrudes on property rights, hurts conservation."

Farm Bureau spokesman said: "EPA proposal would regulate all water wherever it flows."

Farm Bureau spokesman: "Water rule threatens U.S. agriculture."

The last quote is also from the a Farm Bureau spokesman: "Rule is threat to conservation momentum . . . a flood of red tape."

Last spring the EPA and Army Corps of Engineers published a proposed rule to define "waters of the United States." This is part of a long history of attempts to determine the scope of the Federal Government's jurisdiction under the Clean Water Act. The latest proposal has generated no shortage of

rhetoric from those concerned about the rule as well as those defending the rule. However, you would be hard pressed to call it a true debate.

Rather than making a serious attempt to address the numerous legitimate concerns with the rule, the Environmental Protection Agency and their allies in the professional advocacy community have attempted to push a narrative that tries to portray critics of the rule as misinformed, nutty or in favor of water pollution.

They, the advocacy community, claim the rule simply clarifies the jurisdiction of Federal agencies, and they also claim it does not expand that jurisdiction in any way. The EPA also promises that it will not interfere with the farmer's routine use of their own land.

Given its history of ignorance and indifference toward the needs of rural America, it is no wonder EPA's assurances are met with skepticism by many in America, but it is particularly met with skepticism by America's farmers.

The EPA will have another chance to consider the concerns of farmers and many other Americans as it reviews the formal comments it collected before issuing the final rule. Still, given the fact that EPA officials—starting with Administrator McCarthy—went out of their way to be dismissive of legitimate criticisms even while the comment period was still open, I am not going to hold my breath hoping for a change of heart on the part of the EPA.

First, it is important to understand that this debate is not about whether we should have clean water protections but which level of government is in the best position under our laws, and the intent of those laws, to manage which bodies of water.

Despite what some interest groups would have you believe, no one is arguing that farmers or anybody else should be allowed to dump pollutants in the waterway. There is also no question that there is a very important role for the Federal Clean Water Act to protect interstate bodies of water.

However, the Clean Water Act itself clearly states:

It is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, and to consult with the Administrator in the exercise of his authority under this chapter.

That is in the law right now, and it has been there a long time. The complicated Federal clean water permitting process is appropriate if a factory is looking to discharge waste into a river, but does it make sense to require a farmer to apply for a Federal permit to build a fence on his own land?

There is clearly a limit to where Federal regulation is appropriate, where Federal regulation is effective, and where Federal regulation is legal. In

fact, expanding the cumbersome Federal permitting process to cover lands it was not designed for would actually be counterproductive in my State of Iowa and probably a lot of other States as well.

Forcing farmers to file for a Federal permit would add significant redtape for Iowa farmers as they make routine decisions about how best to use their land. Ironically, that could delay or deter farmers from undertaking projects to improve water quality, and that is why I quoted some members of the Farm Bureau earlier.

There was one story that very specifically said farmers in Iowa were willing to spend a lot of their own money to do some conservation practices that everybody would be very happy with, but they are not going to spend their own money because they cannot even get an answer from the Corps and the EPA on whether they even need a permit. They are not going to pursue their conservation practices and invest all of their money if they could be violating a law, so you can see why they are very upset. Under the existing law, the EPA cannot even tell a farmer whether they need a permit, and they want to assume a lot more responsibility. It is kind of concerning considering that they cannot do their job right now.

Having to constantly apply for Federal permits just to farm their land would be unnecessarily burdensome to farmers, a waste of Federal resources, and an intrusion on State and local land use regulations. What about the EPA's assertion that its proposed rule simply clarifies its existing jurisdiction and restores it to what it used to be? The fact is that in the past, the EPA has attempted to claim nearly unlimited jurisdiction well beyond what the law says and well beyond even an expansive reading of the Federal Government's constitutional authority to regulate interstate commerce. However, those attempts were repeatedly struck down by our U.S. Supreme Court.

The Court decisions in 2001 and 2006 made very clear that the Federal Government does not have unlimited authority over all bodies of water but left the precise division between State and Federal or local jurisdictions somewhat unclear.

In response, the U.S. Army Corps of Engineers and the EPA issued guidance in December 2008 in an attempt to comply with the Supreme Court's rulings but did not engage in any formal rule-making. Significantly, legislation was routinely proposed in Congress by those who wanted to push aside the Supreme Court rulings and give the EPA unlimited jurisdiction, but it never garnered enough support.

While legislation would not have resolved the constitutional limitations to the EPA's authority, it is important to know Congress passed on several opportunities to amend the Clean Water Act to expand Federal jurisdiction.